

**9-303. Order setting conditions of release bail bond.**

*[For use with District Court Rule 5-401 NMRA,  
Magistrate Court Rule 6-401 NMRA,  
Metropolitan Court Rule 7-401 NMRA and  
Municipal Court Rule 8-401 NMRA]*

STATE OF NEW MEXICO  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]  
\_\_\_\_\_ COURT

[STATE OF NEW MEXICO]  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]

v.

No. \_\_\_\_\_

\_\_\_\_\_, Defendant

**ORDER SETTING CONDITIONS OF RELEASE  
BAIL BOND**

*(This form is to be used if the defendant is to be released on a secured appearance bond or bail bond. If a surety provides bond for the defendant, Form 9-304 must also be completed. If the defendant personally deposits cash as required, no other form is required.)*

It is ordered that the defendant be released on bail in the amount of \_\_\_\_\_  
\_\_\_\_\_ dollars (\$\_\_\_\_\_) provided that the defendant executes this order  
and agreement and:

*(check and complete applicable alternatives)*

[ ] deposits with the court the sum of \_\_\_\_\_ dollars

(\$\_\_\_\_\_) in cash being \_\_\_\_\_% of the required bond to secure its performance. (A paid surety may post cash with the court provided the paid surety executes an agreement that upon forfeiture the paid surety will pay the balance of the full amount of the bail set forth above.)

[ ] executes a bail bond on a form approved by the supreme court in the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) or deposits with the clerk of the court, in cash, one-hundred (100%) of the amount of the bail set. (If a surety posts bond for the defendant the defendant and the surety must also execute Form 9-304 NMRA.)

[ ] It is ordered that the defendant report to (name) \_\_\_\_\_

\_\_\_\_\_

(set forth designated entity or pretrial services agency agreeing to supervise the defendant)

\_\_\_\_\_ (set forth telephone number of entity).

### **DEFENDANT'S BOND**

I \_\_\_\_\_, defendant in the above-entitled matter, do hereby bind myself to the following conditions of release:

(court or designee must complete before the defendant reads and signs this bond)

I agree to appear before the above court on \_\_\_\_\_, at \_\_\_\_\_ [a.m.] [p.m.] in courtroom \_\_\_\_\_ and at such other places as I may be required to appear, in accordance with any and all orders and directions relating to my appearance in the above-entitled matter as may be given or issued by the above court or any magistrate, district or appellate court to which the

above entitled case may be removed or the cause transferred.

I further agree to pay the [State of New Mexico] [City of \_\_\_\_\_] the full amount of the bail set forth above in the event that I fail to appear as required.

**Agreement to Comply with All  
Additional Conditions of Release**

I further agree that:

*(court or designee must complete applicable conditions prior to signature by the defendant)*

- ☐ I will remain in the custody of the above named third-party custodian who has agreed to report any violation of a release condition to the court;
- ☐ I understand that my release is subject to my maintaining my employment. If my employment is terminated I agree to immediately report such termination to the court;
- ☐ I will actively seek employment;
- ☐ I will attend classes at \_\_\_\_\_;
- ☐ I will not associate with the following persons \_\_\_\_\_  
\_\_\_\_\_;
- ☐ I will not leave the [city of \_\_\_\_\_] [this county] [the county of \_\_\_\_\_] [this state] [the state of \_\_\_\_\_] without further permission of the court;
- ☐ I will reside at \_\_\_\_\_ unless otherwise agreed to by the court;
- ☐ I will avoid all contact with \_\_\_\_\_ and  
\_\_\_\_\_ *(set forth the names of the alleged crime victim or any*

*potential witness to the crime*);

- [ ] I will not leave my residence between the hours of \_\_\_\_ [p.m.] and \_\_\_\_ [a.m.] without prior permission of the court;
- [ ] I will not possess a firearm, destructive device or other dangerous weapon without prior permission of the court;
- [ ] I will:
  - [ ] refrain from excessive consumption of beer, wine and other alcoholic beverages;
  - [ ] not drink any alcoholic beverages;
- [ ] I will not take or use any narcotic drugs without a prescription by a licensed medical practitioner;
- [ ] I will submit to any urine analysis or alcohol test upon the request of \_\_\_\_\_  
\_\_\_\_\_;
- [ ] I agree to the following [medical] [psychological or psychiatric] treatment for \_\_\_\_\_  
\_\_\_\_\_ (*set forth treatment such as treatment for drug or alcohol dependency*);
- [ ] I will remain at (*set forth institution*) \_\_\_\_\_ for the following treatment \_\_\_\_\_ for a period of \_\_\_\_\_;
- [ ] I agree that if I am released for the purpose of [employment] [schooling], I will return to \_\_\_\_\_ (*set forth place of detention*) each day immediately after [work] [school]

[classes].

I understand the above conditions of release and agree to them.

I understand that the court may have me arrested at any time, without notice, to review and reconsider these conditions.

I understand, that if I fail to appear as required, I may be prosecuted and sent to [jail] [the penitentiary] for the separate offense of failure to appear. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change the address indicated below.

I understand that my conditions of release may be revoked and I may be charged with a separate criminal offense if I intimidate or threaten a witness, the victim or an informant or if I otherwise obstruct justice.

I further understand that my conditions of release will be revoked if I violate a federal, state or local criminal law.

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Defendant

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Address

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City and State

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Telephone Number

The above conditions of release are hereby approved. The defendant shall be released from custody upon the execution of this agreement and the posting of the required bail bond.

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(Judge) (Designee)

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Date

[Approved, effective September 1, 1990; as amended by Supreme Court Order No. 07-8300-29, effective December 10, 2007.]